THE FOLLOWING ORDER
IS APPROVED AND ENTERED
AS THE ORDER OF THIS COURT:

DATED: June 5, 2014

G. Michael Halfenger
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

IN RE: Mark and Sharon Monroe, Case No. 13-24570-GMH

Debtors. Chapter 13

Mark and Sharon Monroe,

Adv. Case No. 13-2747

Plaintiffs,

v.

Seaway Bank & Trust Company, and
U.S. Department of Housing and Urban Development,

Defendants.

ORDER GRANTING DEFAULT JUDGMENT AGAINST SEAWAY BANK AND TRUST COMPANY

The plaintiffs filed an adversary complaint seeking to establish the value of Seaway Bank and Trust's interest in the plaintiff's real property located at 4820 North 72nd Street, Milwaukee, Wisconsin. The complaint alleges that the value of the property is less than the amount due and owing to the holder of the senior lien on the property, and that there is no equity in the property to which the junior lien can attach. The complaint requests that the court determine that there is no equity to which the lien may attach, and that it permit Seaway Bank and Trust's claim to be treated as unsecured in this Chapter 13 case. The plaintiff properly served the complaint on Seaway Bank and Trust pursuant to Bankruptcy Rule 7004, and it failed to answer or appear. On May 19, 2014, the plaintiffs filed a motion for default judgment. Again, Seaway Bank and Trust was served and failed to respond.

Accordingly, the court grants default judgment in favor of the plaintiff, and it finds and declares:

1. The value of the property is less than the amount of the claim secured by the lien that is senior to Seaway Bank and Trust's lien.

2. Pursuant to 11 U.S.C. §506(a), Seaway Bank and Trust has a general, unsecured claim and not an allowed, secured claim.

3. Upon completion of the debtors' chapter 13 plan, Seaway Bank and Trust's junior lien encumbering the property will be terminated and released.

# # # # #